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Chief Executive Officer

Revised

October 22, 2012

To: Supervisor Zev Yaroslavsky, Chairman
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

NOVEMBER 6, 2012 GENERAL ELECTION BALLOT MEASURES

This memorandum has been updated to provide the latest information about the 11 statewide propositions on the November 6, 2012 General Election Ballot. The Board has taken a support position on Propositions 30 and 35 and an oppose position on Proposition 32. The Board has no position on the remaining 8 propositions. The official titles of the measures are:

- **Proposition 30:** Temporary Taxes to Fund Education. Guaranteed Local Public Safety Funding. Initiative Constitutional Amendment. **Support** (On October 9, 2012, the Board voted 3 to 2 to support this measure, with Supervisors Knabe and Antonovich voting no.)

- **Proposition 31:** State Budget. State and Local Government. Initiative Constitutional Amendment and Statute. **No Position**

- **Proposition 32:** Prohibits Political Contributions by Payroll Deduction. Prohibitions on Contributions to Candidates. Initiative Statute. **Oppose** (On October 9, 2012, the Board voted 3 to 2 to oppose this measure, with Supervisors Knabe and Antonovich voting no.)

- **Proposition 33:** 2012 Automobile Insurance Discount Act. Initiative Statute. **No Position**

- **Proposition 34:** Death Penalty Repeal. Initiative Statute. **No Position**

- **Proposition 35:** Human Trafficking. Penalties. Sex Offender Registration. Initiative Statute. **Support** (On April 10, 2012, the Board voted unanimously to support this measure.)

- **Proposition 36:** Three Strikes Law. Sentencing for Repeat Felony Offenders. Initiative Statute. **No Position**

- **Proposition 37:** Genetically Engineered Foods. Mandatory Labeling. Initiative Statute. **No Position**

- **Proposition 38:** Tax to Fund Education and Early Childhood Education Programs. Initiative Statute. **No Position**

- **Proposition 39:** Tax Treatment for Multistate Business. Clean Energy and Energy Efficiency Funding. Initiative Statute. **No Position**

- **Proposition 40:** Redistricting State Senate Districts. Veto Referendum. **No Position**

Attachment I includes a summary of each proposition and comments from affected County departments. Attachment II is a list of all local jurisdiction measures which have qualified for the November ballot.

If you have any questions or require additional information, please have your staff contact Manuel Rivas, Jr. at (213) 974-1464.

WTF:RA
MR:KA:ma

Attachments

c: Executive Office, Board of Supervisors
County Counsel
All Department Heads
Legislative Strategist

Attachment I

PROPOSITION 30: TEMPORARY TAXES TO FUND EDUCATION. GUARANTEED LOCAL PUBLIC SAFETY FUNDING. Initiative Constitutional Amendment. COUNTY POSITION: **SUPPORT**

PROPOSITION 30, the Schools and Local Public Safety Protection Act of 2012, would amend the Constitution to guarantee funding for public safety services realigned from the State to local governments under the 2011 Public Safety Realignment and provide protections from future unfunded costs to administer the realigned programs. Specifically, Proposition 30 would:

- Continuously appropriate the specified State Sales Tax and Vehicle License Fee revenue allocation to counties to fund the realigned programs;
- Protect counties from future legislation or unfunded programmatic changes that increase costs to administer the realigned programs; and
- Require that the State share in any increased costs associated with federally-mandated programmatic changes or judicial judgments.

Proposition 30 also would increase the State Sales and Use Tax by one-fourth (1/4) cent for four years and increase personal income tax on annual earnings over $250,000 for seven years.

Specifically, Proposition 30 would temporarily increase the existing 9.3 percent Personal Income Tax (PIT) rate on higher earners for seven years and affect approximately 1.0 percent of California PIT filers starting in the 2012 tax year per the following schedule:

- Increases the tax rate for individuals earning between $250,000 and $300,000; heads of household earning between $340,000 and $408,000; and joint filers earning between $500,000 and $600,000 by 1.0 percent.
- Increases the tax rate for individuals earning between $300,000 and $500,000; heads of household earning between $408,000 and $680,000; and joint filers earning between $600,000 and $1.0 million by 2.0 percent.
- Increases the tax rate for individuals earning over $500,000; heads of household earning over $680,000; and for joint filers earning over $1.0 million by 3 percent.

Revenue generated from the temporary tax increases would be allocated to K-14 Education with 89 percent going to fund K-12 schools and 11 percent going towards community colleges funding. Proposition 30 would bar the use of these funds for administrative costs, but provides local school governing boards discretion to decide, in open meetings and subject to annual audit, how funds are to be spent.

Background. On December 5, 2011, Governor Brown released a proposed November 2012 ballot initiative which would amend the Constitution to permanently dedicate revenues to local governments to pay for the 2011 Public Safety Realignment and provide protections for future unfunded costs; institute a one-half (1/2) cent temporary increase in the State Sales Tax rate; and temporarily increase the Personal Income Tax for higher income earners to fund K-14 Education for five years.

In an effort to reduce the number of November 2012 ballot initiatives that seek to raise taxes to fund education, the Governor and the California Federation of Teachers, which had been circulating a separate ballot initiative that would raise taxes to fund education, announced an agreement on March 14, 2012 to combine aspects of their respective measures and jointly proceed with the effort to gather signatures and qualify a joint initiative for the November 2012 ballot. That measure was qualified by the Secretary of State on June 20, 2012 and became Proposition 30.

Legislative Analyst's Office Report. The Legislative Analyst's Office (LAO) indicates that the measure would reduce the financial insecurity and risk for local governments to operate the 2011 Public Safety Realignment, and would constrain the State from changing or imposing new requirements on the realigned programs without providing commensurate funding.

The Legislative Analyst's Office notes that potential volatility in the Personal Income Tax revenues from higher income earners makes it difficult to estimate the revenue gains from the proposed temporary tax increase. Nonetheless, the LAO report estimates that the annual increase in State revenues generated from the temporary taxes could be from $6.8 billion to $9.0 billion in FY 2012-13 and from $5.4 billion to $7.6 billion on average each of the following five fiscal years.

Affected County Departments. The Los Angeles County Office of Education (LACOE) indicates that if Proposition 30 and Proposition 38 fail, the proposed State Budget trigger cuts will be enacted mainly impacting K-14 and higher education. If the trigger cuts are enacted, LACOE would be impacted by a reduction of $457 per average daily attendance and approximately five to ten school districts in the County would face dire financial consequences.

Board Action. On March 18, 2011, the Board approved a motion to instruct the Chief Executive Officer to continue working with the Administration and Legislature to develop a realignment framework and to communicate support of **ACAx1 2 (Blumenfield)** and **SCAx1 1 (Steinberg),** identical legislative proposals that would have established a constitutional amendment to establish county protections for realigned programs substantially similar to what is proposed in Proposition 30. In addition, on January 24, 2012, the Board approved a motion to support Governor Brown's <u>original</u> ballot initiative. **On October 9, 2012, the Board voted 3 to 2 to support Proposition 30, with Supervisors Knabe and Antonovich voting no.**

Support and Opposition. Proposition 30 is supported by: California State Association of Counties; California District Attorneys Association; California State Sheriffs Association; Chief Probation Officers of California; California Faculty Association; California Federation of Teachers; California Retired Teachers Association; California School Employees Association; California School Boards Association; California State Student Association; California State University Board of Trustees; California State University Emeritus and Retired Faculty Association; California Teachers Association; Charter Schools Association of California; Child Care Alliance of Los Angeles; Community College League of California; Los Angeles Community College District; Santa Monica-Malibu Unified School District; California Association of Professional Scientists; California Budget Project; California Building Industries Association; California Democratic Party; California Hospitals Association; California Medical Association; California Nurses Association; California Primary Care Association; American Federation of State and Municipal Employees; California Building and Construction Trades Council; California Labor Federation; Communications Workers of America (District 9 AFL-CIO); Service Employees International Union, among others.

Proposition 30 is opposed by: Howard Jarvis Taxpayers Association; National Federation of Independent Business California; Small Business Action Committee; Americans For Prosperity; Antelope Valley Hispanic Chamber of Commerce; Buena Park Chamber of Commerce; Calaveras County Taxpayers Association; California Taxpayer Protection Committee; Campaign for Children and Families; Central Coast Taxpayers Association; Contra Costa Taxpayers Association; Fullerton Association of Concerned Taxpayers; Fullerton Chamber of Commerce; Humboldt County Taxpayers League; Inland Empire Taxpayers Association; Kern County Taxpayers Association; Lodi District Chamber of Commerce; Orange County Taxpayers Association; Palm Desert Area Chamber of Commerce; United Chambers of Commerce, among others.

PROPOSITION 31: STATE BUDGET. STATE AND LOCAL GOVERNMENT. Initiative, Constitutional Amendment and Statute. COUNTY POSITION: **NONE**

PROPOSITION 31, the Government Performance and Accountability Act of 2012, would:

- Establish a two-year State Budget cycle;

- Prohibit the Legislature from enacting laws, including State-mandated local programs, which would increase State costs or decrease revenues by more than $25.0 million, unless offsetting revenues or expenditures, or a combination of both, are identified;

- Permit the Governor to cut the State Budget unilaterally during declared fiscal emergencies if the Legislature fails to act. Reductions may not exceed the amount necessary to balance the budget, and the Legislature may override all or part of the reductions by a two-thirds vote;

- Require performance reviews of all State programs, whether managed by the State or local agencies implementing the State-funded programs, at least once every five years;

- Require publication of bills at least three days prior to a legislative vote;

- Require the adopted budget of each local government to include how the budget will promote specific locally-determined priorities; and

- Allow a county board of supervisors to create a Community Strategic Action Plan (CSAP) and invite participation of all other local government entities within the county's boundaries. Counties which choose to participate in a CSAP would: 1) receive additional funding from the State; 2) be authorized to reallocate local property tax revenue among participating entities; and 3) receive limited authority to adopt local procedures to administer State-funded programs, subject to legislative or State agency veto.

Background. The Constitution requires the Governor to propose a balanced budget by January 10th for the next fiscal year which begins July 1, and for the Legislature to pass the annual budget by June 15th. The Governor may then either sign or veto the budget. The Governor also may reduce or eliminate specific appropriations using the line-item veto authority. The Legislature may override a veto with a two-thirds vote in each house. Once a budget has been approved, the Governor has limited authority to reduce spending without legislative approval.

Pursuant to Proposition 58 of 2004, the California Balance Budget Act, the Governor has the authority to declare a fiscal emergency upon a determination that the State is facing substantial revenue shortfalls or spending overruns. In such cases, the Governor must propose legislation to address the fiscal emergency and call the Legislature into a Special Session. If the Legislature fails to pass and send to the Governor legislation to address the State's fiscal emergency within 45 days, it is prohibited from acting on any other bills or adjourning in joint recess until such legislation is passed. The Legislature may enact laws to create or expand State programs or reduce State tax revenues.

Legislative Analyst's Office Report. The Legislative Analyst's Office indicates that this measure would make various changes to the State and local budget process, as follows:

- Two-Year State Budget. Under this measure, in each odd numbered calendar year, the Governor would submit a budget proposal for the two subsequent fiscal years. For example, in January 2013, the Governor would submit a budget for the fiscal years beginning in July 2013 and July 2014. In even numbered years, the Governor could submit an update for either of the two years covered by the previous submission.

  The budget must include the following elements to improve performance and accountability: 1) an estimate of the total amount of resources available for recommended expenditures; 2) a three-year projection of anticipated expenditures and revenues; 3) a statement of how the budget will promote specified goals; 4) a description of outcome measures used to assess progress and report results; 5) a statement of outcome measures for each major expenditure of public resources; 6) a statement of how the State will align expenditure and investment of public resources with other government entities to achieve specified goals; and 7) a public report on the progress of achieving specified goals.

- Performance Standards for State Programs. This measure contains a number of provisions amending the Constitution to establish a process to review the performance of State programs. Under the proposal, the Governor would be required to include certain information as part of the budget released every two years, including a statement of outcome measures by which to evaluate State agencies and programs, and a report on the State's progress in meeting statewide goals.

- Legislative Oversight. The measure changes the legislative calendar and reserves part of each legislative biennium, beginning in July of the second year of the biennium, for legislative oversight and review of State programs. The Legislature would create an oversight process to review every State program whether managed by the State or local governments, at least once every five years.

- Legislative Process and Calendars. The Constitution currently requires that legislative bills be in print and distributed to members of the Legislature before they can be passed. This proposal amends the Constitution to require that bills generally be in print and available to the public for three days before passage by the Legislature.

- Local Government Performance Information. Proposition 31 requires that each local government provide certain information as part of their adopted annual budget beginning in 2014 including:

    - Statements regarding how the budget will promote specified locally-determined goals and priorities including a prosperous economy, quality environment, and community equity, as reflected in the following objectives: increasing employment; improving education; decreasing poverty; decreasing crime; improving health; and other community priorities.

    - A description of outcome measures to assess progress in meeting locally-determined goals.

    - A statement of how the local government entity will align its expenditure and investment of public resources to achieve locally-determined goals.

    - A public report on progress in achieving locally-determined goals and an evaluation determining outcomes adopted in the previous year's budget.

    - An open and transparent budget development process that encourages community input.

Community Strategic Action Plan. The measure would allow a county, by action of the board of supervisors, to create a Community Strategic Action Plan (CSAP). The county shall invite participation of all other local government entities within the county including school districts, community college districts, special districts, and cities.

Participating local government entities shall draft the Community Strategic Action Plan through an open and transparent process which includes participation of all aspects of the community, including neighborhood leaders. The CSAP shall outline: 1) how it will achieve specified purposes and goals; 2) describe how services will be provided and why they will be provided more effectively and efficiently; 3) the roles and responsibilities of participating entities; and 4) provide an allocation of resources to support the plan.

The Community Strategic Action Plan shall be submitted to each of the governing bodies of each participating government entities within the county for approval. To ensure a minimum level of collaboration, the plan must be approved by the entities providing municipal services to at least a majority of the population of the county, and one or more school districts serving at least a majority of the public school pupils in the county. Approval or amendment to the CSAP by participating local entities requires a majority vote of the governing body.

The Legislative Analyst's Office points out that the measure allows Community Strategic Action Plans to include certain provisions that otherwise would be contrary to existing State laws and regulations but are functionally equivalent to the objectives of those laws or regulations. Local governments would be required to submit these provisions to the Legislature or the appropriate State agency for review. If the Legislature or agency does not reject the CSAP provisions within 60 days, those provisions would be deemed to be in compliance with State laws and regulations. The local CSAP provisions would expire after four years unless renewed through the same process.

The measure requires the State to consider how it can help local governments which adopt a CSAP deliver services more effectively and efficiently. Consistent with this provision, the State or any department or agency may enter into a contract with one or more local government entities that are CSAP participants to perform any function that the contracting parties can perform more effectively and efficiently.

Financing the Community Strategic Action Plan. The measure would establish the funding mechanisms outlined below:

- Shift of State Resources. Establish the Performance and Accountability Trust Fund in the State Treasury to provide State resources for the implementation of CSAPs. Beginning in FY 2013-14, the measure shifts .035 percent of the State sales tax rate to the Trust Fund and requires the State General Fund to backfill any reduced revenue to the fund if the State sales tax is reduced in the future. The revenue in the trust fund would be allocated to local governments with approved CSAPs on a per capita basis.

- Reallocate Property Tax. Permits local governments participating in the CSAP to reallocate property taxes among themselves if the reallocation is approved by a two-thirds vote of the governing bodies of each of the local governments affected by the reallocation.

Fiscal Impact. According to the LAO, this measure would result in the following fiscal impacts:

- State Sales Tax Revenue Transfer. The shift of the State sales tax to the Performance and Accountability Trust Fund would reduce State revenue and increase local revenue by approximately $200.0 million annually beginning in FY 2013-14.

- Changes in Legislature's and Governor's Fiscal Authority. The change in the Legislature's authority to expand programs or decrease revenues, unless it adopts measures with offsetting fiscal effects, could result in State program costs being lower, or State revenues being higher. In addition, expanding the

Governor's authority to implement mid-year reductions to the State Budget could result in overall State spending being lower than it would have been otherwise. According to the LAO, the net fiscal effect of these provisions is unknown, but could be significant over time.

- Changes in Budgeting Practices. State and local governments would have increased costs to modify their budget process and provide information regarding program outcomes. Specifically, State and local governments likely would experience increased information technology, printing and data analysis costs. The LAO indicates that these costs would be higher initially, in the range of tens of millions of dollars annually, and then moderate over time. The LAO also notes that the compilation and analysis of this budget and performance information could lead to improved State and local government efficiencies, potentially offsetting these costs.

Affected County Departments. The provisions of Proposition 31 which would authorize the Governor to enact unilateral State Budget reductions during declared State fiscal emergencies, even with the Legislature's ability to override reductions by a two-thirds vote, could circumvent the County's ability to allow for advocacy and provide input to the Administration and the Legislature on the potential impact of reductions to the County.

The Chief Executive Office, Budget Development and Finance notes that most State and local programs are already audited to ensure compliance with legal requirements and State guidelines. The additional performance reviews mandated under Proposition 31 are likely to result in an additional County workload.

Proposition 31 also would require the County budget adoption process to include specific elements to meet locally-determined goals, provide an open and transparent budget development process, among other provisions. The CEO, Budget and Finance indicates that the current County budget process already addresses locally-determined priorities. The provisions of Proposition 31 would add additional workload requirements to the County without any defined outcomes.

Additionally, Proposition 31 would allow board of supervisors the option to create a Community Strategic Action Plan (CSAP) and to invite the participation of all other local governments within the County's boundaries to participate. The CEO, Budget and Finance notes that creation of a CSAP in Los Angeles County would be unwieldy considering that the County includes 88 cities and numerous school districts, community colleges, and special districts, all of which could be included in the CSAP.

Support and Opposition. Proposition 31 is supported by: Think Long California; Nicholas Berggruen Trust; Californians for Government Accountability Committee; California Chamber of Commerce; and California Forward Action Fund.

The measure is opposed by: Californians for Transparent and Accountable Government; California Federation of Labor; and American Federation of State, County and Municipal Employees.

PROPOSITION 32: PROHIBITS POLITICAL CONTRIBUTIONS BY PAYROLL DEDUCTION. PROHIBITIONS ON CONTRIBUTIONS TO CANDIDATES. Initiative Statute. COUNTY POSITION: **OPPOSE**

PROPOSITION 32, the Stop Special Interest Money Now Act, would: 1) prohibit unions from using payroll-deducted funds for political purposes; 2) apply the same use prohibition to payroll deductions, if any, by corporations or government contractors; 3) permit voluntary employee contributions to employer or union committees if authorized yearly, in writing; 4) prohibit unions and corporations from contributing directly or indirectly to candidates and candidate-controlled committees; and 5) prohibit government contractor contributions to elected officers or officer-controlled committees.

Background. Federal courts generally have ruled that organizations and individuals have a constitutional right, under freedom of speech, to contribute money to political campaigns. Under State campaign finance laws, there are three types of political spending:

- Political Contributions – which includes giving money, goods, and services as follows: 1) directly to a candidate; 2) at the request of a candidate; or 3) to a committee that uses these resources to support or oppose a candidate or ballot measure.

- Independent Expenditures – money spent to communicate support or opposition of a candidate or ballot measure, if the funds are spent in a way that is not coordinated with a candidate or a committee established to support or oppose a candidate or ballot measure.

- Other Political Spending – which includes member communications, spending by an organization to communicate political endorsements to its members, employees, or shareholders.

California laws place certain restrictions on the amount of political contributions individuals, groups, and businesses may contribute to a State candidate's campaign for political office or to a candidate-controlled committee. For example, in 2012 an individual, group or business could contribute up to $26,000 to a candidate for Governor and up to $3,900 to a candidate for legislative office. Current law does not limit the amount of money individuals, groups or businesses may spend on independent expenditures. Both political contributions and independent expenditures must be disclosed to State or local election officials. The third type of political spending (e.g., member communications) is not limited by State law nor is it required to be disclosed to election officials.

The California Fair Political Practices Commission (FPPC) administers the State's campaign financing laws, investigates alleged violations of the laws, imposes fines for violations of these laws, and defends these laws in court. In addition, some local governments have campaign finance and disclosure requirements for local candidates, ballot measures and officials. These ordinances are established and enforced by the local government. Under limited circumstances, employers may withhold money from an employee's paycheck, also known as payroll deductions. Some common payroll deductions include deductions for Social Security, income taxes, medical plans, and voluntary charitable contributions. Labor unions represent approximately 2.5 million workers in California, and generally pay for their activities with money raised from dues charged to union members and fair share fees paid by non-union members who the union represents in the collective bargaining process. In many cases, the employers automatically deduct these dues and fees from their employees' paychecks and transfer the money to the unions.

Many unions use some of the funds they receive from payroll deductions to support activities not directly related to the collective bargaining process. These expenditures may include political contributions and independent expenditures, as well as spending to communicate political views to union members. Non-union members may opt out from having their fair share fees used to pay for political spending and other spending not related to the collective bargaining process.

Legislative Analyst's Office Report. The Legislative Analyst's Office reports that this measure would change the State's campaign finance laws to restrict State and local campaign spending by public and private sector labor unions, corporations, and government contractors. The provisions of Proposition 32 would not affect campaign spending for Federal elective offices.

Specifically, Proposition 32 would:

- Ban Use of Payroll Deductions to Finance Spending for Political Purposes. The measure would prohibit unions, corporations, government contractors, and State and local employers from spending money deducted from an employee's paycheck for political purposes. Under the measure, the term political purposes would include all three types of political spending discussed above, as well as other expenditures to influence voters. This measure would not affect unions' existing authority to use payroll deductions to pay for other activities (including collective bargaining and political spending in federal campaigns);

- Prohibit Political Contributions by Corporations and Unions. The measure would prohibit corporations and unions from making political contributions to candidates, either directly to candidates or to committees that then make contributions to candidates. Proposition 32 would not affect a corporation or a union's ability to spend money on independent expenditures; and

- Limit the Authority of Government Contractors to Contribute to Elected Officials. The measure would prohibit government contractors (including public sector labor unions with collective bargaining contracts) from making contributions to elected officials who play a role in awarding their contracts. Specifically, government contractors could not make contributions to these elected officials from the time their contract is being considered until the date their contract expires.

The Legislative Analyst's Office notes that if Proposition 32 passes, a Federal or State court may prevent the measure from going into effect on the grounds that it infringes upon various parties' constitutionally protected freedom of speech. In addition, if Proposition 32 were allowed to go into effect, its provisions would increase the workload and costs of the FPPC to implement and enforce the State's campaign finance laws. In addition, State and local governments would experience some other increased administrative costs. The LAO reports that the exact costs of these activities is unknown, but could exceed $1.0 million annually, potentially offset in part by revenues from fines.

Affected County Departments. The Registrar-Recorder/County Clerk (RRCC) reports that the prohibitions included in this measure would not have a significant impact or add significant costs to its current activities. The RRCC already reviews and identifies any campaign finance violations under the County's campaign finance ordinance (Proposition B). If Proposition 32 is enacted, there may be some initial operational impacts associated with training staff on the provisions of the initiative.

Board Action. On October 9, 2012, the Board voted 3 to 2 to oppose Proposition 32, with Supervisors Knabe and Antonovich voting no.

Support and Opposition. Proposition 32 is supported by: Californians Against Special Interests; Stop Special Interest Money Now; and Citizen Power Campaign.

This measure is opposed by: Alliance for a Better California; American Federation of State County and Municipal Employees; United Food & Commercial Workers; Peace Officers Research Association of California; California Faculty Association; California Professional Firefighters; California Federation of Teachers; California State Council of Service Employees; California School Employees Association; California Labor Federation; California Teachers Association; Common Cause; the League of Women Voters of California; Service Employees International Union; Los Angeles Police Protective League; and State Building and Construction Trades Council.

PROPOSITION 33: 2012 AUTOMOBILE INSURANCE DISCOUNT ACT. Initiative Statute. COUNTY POSITION: **NONE**

PROPOSITION 33, the 2012 Automobile Insurance Discount Act, would permit insurance companies to set prices based on whether the driver previously carried any auto insurance. Specifically, it would allow insurance companies to give proportional discounts to new customers who can prove they were continuously covered by any licensed auto insurance company over the previous five years. Conversely, it would also permit insurance companies to increase costs to drivers who have not maintained continuous coverage.

Background. Under current law, insurance companies can offer their existing customers discounts, known as persistency discounts or loyalty discounts, for maintaining continuous insurance coverage. Under the Insurance Rates Reduction and Reform Act of 1988 (Proposition 103), auto insurance companies cannot offer those same discounts to new customers who had continuous coverage but provided by a different company. Proposition 33 would expand persistency discounts to new customers that have switched insurance companies.

Proposition 103 of 1998 prohibits insurance companies from using the information that an individual did not previously have automobile insurance to: 1) determine whether the individual is eligible for coverage; or 2) decide the premiums charged for coverage. Proposition 33 would amend the California Insurance Code to allow an insurance company to use continuous coverage as an optional auto insurance rating factor. Because continuous coverage would be an allowable rating factor, it would permit insurance companies to increase rates for drivers who have not maintained continuous coverage, and reduce rates for those who have.

The proposed initiative is similar to Proposition 17, the Continuous Coverage Auto Insurance Discount Act, which was rejected by voters in 2010. Proposition 17 would have given insurance companies the right to offer persistency discounts to customers of other insurance companies who had not let their policies lapse for more than 90 days in the previous five-year period. Unlike Proposition 17, Proposition 33 exempts drivers who were in active military service or unemployed for up to 18 months during lapse of coverage from paying higher rates.

Legislative Analyst's Office Report. The Legislative Analyst's Office notes that insurance companies doing business in California currently pay an insurance premium based on the amount of gross automobile insurance premiums earned in the State each year. In 2011, those premium tax revenues totaled about $500.0 million. These revenues are deposited into the State General Fund.

<u>Fiscal Effect</u>. The Legislative Analyst's Office indicates that Proposition 33 could change the total amount of automobile insurance premiums earned by California insurance companies, and thus the amount of premium tax revenues received by the State. However, the LAO estimates that the reduction of premiums paid by persistency

discount drivers would be made up by the increased premiums paid by those customers with lapsed coverage and, therefore, the net impact on State premium tax revenues would likely not be significant.

Affected County Departments. According to the Internal Services Department and CEO Risk Management, Proposition 33 would have no direct affect on County Departments.

Support and Opposition. Proposition 33 is supported by: American Agents Alliance; Asian Business Association; California Hispanic Chambers of Commerce; California Republican Party; CDF Firefighters Local 2881; Chinese Chamber of Commerce of Los Angeles; former Lieutenant Governor Cruz Bustamante; former California State Senate president pro tempore Don Perata; George Joseph, Chair of Mercury General; the Greenlining Institute; Merced Filipino Chamber of Commerce; Slavic American Chamber of Commerce; State Senator Juan Vargas (D-San Diego), former Chair of the Assembly Insurance Committee; and Veterans of Foreign Wars of California.

Proposition 33 is opposed by: the Berkeley-East Bay Gray Panthers; California Alliance for Retired Americans; California Church Impact; California Conference of Machinists; California Democratic Party; California Labor Federation; California Nurses Association; California Young Democrats; Consumer Action; Consumers for Auto Reliability & Safety; Courage Campaign; Friends Committee on Legislation of California; International Federation of Professional & Technical Engineers Local 21; Jericho, Voice for Justice; Lutheran Office of Public Policy; Older Women's League of California; Service Employees International Union Local 1000; The Utilities Reform Network; and United Policyholders.

PROPOSITION 34: DEATH PENALTY REPEAL. Initiative Statute. COUNTY POSITION: **NONE**

PROPOSITION 34, the Savings, Accountability and Full Enforcement for California Act or the SAFE California Act, would repeal the death penalty as the maximum punishment for persons found guilty of murder in California. Specifically, Proposition 34 would:

- Replace the death penalty sentencing option with life imprisonment without the possibility of parole;
- Apply retroactively to persons already sentenced to death who are currently on California's death row appealing their conviction and sentence, or awaiting execution. Those death penalty sentences would be converted to life imprisonment without the possibility of parole;
- Require anyone found guilty of murder to work while in prison and any wages earned as a result of such employment would be applied to victim restitution fines or orders against them; and
- Create a $100.0 million fund to be distributed to law enforcement agencies to help in their efforts to solve homicide and rape cases.

Background. In 1972, the U.S. Supreme Court ruled all state capital punishment statutes then in effect to be unconstitutional. The U.S. Supreme Court further ruled in 1976 that only those state capital punishment statues that allow a jury to impose the death penalty after consideration of both aggravating and mitigating circumstances were constitutional. In 1978, California reinstated the death penalty and since then 13 individuals have been executed. There are currently 725 individuals sentenced to death in California. Seven of those have exhausted all appeals and are awaiting execution. However, legal challenges to the State's lethal injection procedure are pending and must be resolved prior to any execution moving forward. The most recent execution was in 2006.

Legislative Analyst's Office Report. The Legislative Analyst's Office indicates that Proposition 34 would result in net savings to State and local governments related to murder trials, appellate litigation, and State corrections. These savings would likely be about $100.0 million annually in the first few years, growing to about $130.0 million annually thereafter. The actual amount of these annual savings could be higher or lower by tens of millions of dollars, depending on various factors including how the measure is implemented and the rate of death sentences and executions that would take place in the future if this measure were not approved by voters. In addition, the measure would require the State to provide a total of $100.0 million in grants to local law enforcement agencies over the next four years.

Affected County Departments. According to the District Attorney's Office, Proposition 34 would have a minimal impact on expenditures of the office. As the assignment of resources within the Department is driven more by the complexity of the case than the punishment sought, the investment in preparing for and conducting complex murder trials would not be significantly reduced. Furthermore, the District Attorney's Office indicates that brutal and horrific murders committed by those who have been sentenced to death are deserving of the ultimate punishment, even if that punishment comes at a higher monetary cost.

According to the Public Defender, Proposition 34 would substantially reduce the Department's expenditure of time and resources necessary for the preparation of a penalty phase. However, significant preparation would still be necessary to investigate and present mitigating evidence which may assist in resolving the matter with a plea, advocate to strike the special circumstance allegation, and/or result in a determinate sentence pursuant to a Dillon/Romero motion. It is anticipated that the most significant impact to the Department would be that more special circumstances cases would be litigated by trial upon the elimination of the death penalty, as there would be no incentive for the accused to plead to life without the possibility of parole.

Support and Opposition. Proposition 34 is supported by: John Van de Kamp; Gil Garcetti; Santa Clara County Board of Supervisors; Santa Cruz County Board of Supervisors; Carson City Council; Mayor Antonio Villaraigosa; John L. Burton; Assembly Member Gil Cedillo; State Senator Loni Hancock; Assembly Member Jared Huffman; State Senator Mark Leno; Senate President pro Tem Darrell Steinberg; Contra Costa Times; Daily Democrat; Desert Sun; Los Angeles Times; Oakland Tribune; Pasadena Star-News; San Francisco Examiner; San Jose Mercury News; San Mateo Times; Stockton Record; Vallejo Times-Herald; California Democratic Party; California Labor Federation; California League of Women Voters; California State NAACP; California Nurses Association; ACLU of California; California Attorneys for Criminal Justice; California Partnership; California Peace and Freedom Party; California Public Defenders Association; California Young Democrats; National Organization for Women, California, among others.

Proposition 34 is opposed by: California State Sheriff's Association; California Peace Officers Association; Californians for Justice and Public Safety; the Criminal Justice League Foundation; the California Republican Party; Peace Officers Research Association of California; the Honorable Pete Wilson; Marc Klass; Sacramento County District Attorney Jan Scully; San Bernardino County District Attorney Michael Ramos, among others.

PROPOSITION 35: HUMAN TRAFFICKING. PENALITIES. SEX OFFENDER REGISTRATION. Initiative Statute. COUNTY POSITION: **SUPPORT**

PROPOSITION 35, the Californians Against Sexual Exploitation Act, would strengthen California law against human trafficking and the sexual exploitation of minors and would create the toughest human trafficking laws in the country. Specifically, Proposition 35 would:

- Increase the length of prison sentences for those convicted of human and sex trafficking of adults and minors;
- Require convicted sex traffickers to register as sex offenders upon release from prison;
- Require registered sex offenders to disclose all Internet accounts and Internet identifiers used by the registered individual;
- Require certain law enforcement officers to undergo training on handling human trafficking complaints and investigations; and
- Increase criminal fines from those convicted of human trafficking and require that those fines go towards paying for victim services.

Background. According to a U.S. Department of Justice study, close to 300,000 American children are at risk of commercial sexual exploitation. California has three of the Federal Bureau of Investigation's 13 High Intensity Child Prostitution Areas including Los Angeles, San Francisco and San Diego. The average age that a victim is first trafficked for sex is 12 to 14 years old, although some children are trafficked as young as four years old. The Internet has increased access to young victims and allowed for the predatory use of that technology by human traffickers and sex offenders.

Existing State law establishes criminal penalties, prison sentences and fines for individuals convicted of forced labor and human and sex trafficking of adults and minors. In California, current penalties for these crimes are significantly lower than penalties for the same crimes at the Federal level, and many states have passed legislation to increase criminal penalties for human trafficking and sexual exploitation of minors.

Legislative Analyst's Office Report. The Legislative Analyst's Office estimates that Proposition 35 could result in potential one-time costs to local governments of up to a few million dollars on a statewide basis, and lesser costs incurred each year for the new mandatory training requirements for law enforcement officers. In addition, the LAO estimates minor cost increases to State and local governments for incarcerating and supervising human trafficking offenders. The LAO also states that there would be an unknown amount of additional revenue from new criminal fines which would likely not exceed the low millions of dollars annually directed to funding services for human trafficking victims.

Affected County Departments. According to the District Attorney's Office, Proposition 35 offers positive changes to the areas of increased punishment for human traffickers, improvements to the language of the sexual assault sections of the California Penal Code, and more expansive registration requirements for sexual offenders. However, Proposition 35 limits the admissibility of evidence against victims of sexual trafficking which creates a number of unintended consequences that concerns the Department. Specifically, the newly created Evidence Code §1161 would limit prosecutorial discretion to use evidence against the victims of human trafficking: 1) if the victim is uncooperative; 2) if the victim engaged in other acts, such as violence related to commercial sexual acts; and 3) in prosecutions where human sexual trafficking charges are not filed.

District Attorney staff has met with the drafters of Proposition 35 and they agreed that it was not their intent to create such consequences. As a result, the District Attorney's Appellate Division has drafted language to amend §1161 post-passage if Proposition 35 is approved by the voters in November. The amendment would limit the protection of §1161 to specified prosecutions and to a victim's commercial sexual acts as related to those acts only rather than any conduct.

Board Action. On April 10, 2012, the Board voted unanimously to support Proposition 35 and urge all voters in Los Angeles County and throughout the State to vote in favor of the initiative in the November 2012 statewide election.

Support and Opposition. Proposition 35 is sponsored by California Against Slavery and the Safer California Foundation and is supported by: the Association for Los Angeles Deputy Sheriffs; Los Angeles Airport Peace Officers Association; Los Angeles County Professional Peace Officers Association; Los Angeles Police Protective League; California State Sheriff's Association; California Peace Officers Association; U.S. Senator Barbara Boxer; Lieutenant Governor Gavin Newsom; Congresswoman Janice Hahn; Congresswoman Jackie Speier; Assembly Member Nathan Fletcher; Assembly Member Cathleen Galgiani; Assembly Member Marty Block; Assembly Member Nancy Skinner; Assembly Member Susan A. Bonilla; Assembly Member Roger Dickinson; Sheriff Lee Baca; Mayor Antonio Villaraigosa; California Democratic Party; California Republican Party; California Labor Federation; California National Organization for Women (NOW); California Nurses Association; Central California Coalition of Child Abuse Prevention Council; the KlassKids Foundation; Crime Stoppers Los Angeles, among others.

Proposition 35 is opposed by Exotic Service Providers Legal and Education Research Project, Inc.

PROPOSITION 36: THREE STRIKES LAW. SENTENCING FOR REPEAT FELONY OFFENDERS. Initiative Statute. COUNTY POSITION: **NONE**

PROPOSITION 36, the Three Strikes Reform Act of 2012, would amend the existing Three Strikes Law. Specifically, Proposition 36 would:

- Revise the provisions of the Three Strikes Law to allow for a life sentence only when the third and new felony conviction is a serious or violent offense;

- Authorize the re-sentencing of offenders who are currently serving life sentences as a result of the Three Strikes Law, if their third strike conviction was not a serious or violent offense and a judge determines that the new sentence would not pose an unreasonable risk to public safety;

- Continue to impose a life sentence penalty if a third strike conviction is for certain non-serious, non-violent sex or drug offenses or involved firearm possession; and

- Maintain a life sentence penalty for felons with a non-serious, non-violent third strike if prior convictions were for rape, murder, or child molestation.

Background: In 1994, California voters approved Proposition 184 commonly known as the Three Strikes Law. The law requires a minimum sentence of 25 years to life for three-time repeat offenders with multiple prior serious or violent felony convictions. California voters passed the Three Strikes Law after several high profile murders committed by ex-felons raised concern that violent offenders were being released from State prison only to commit new, often serious and violent crimes in the community. However, since enactment, a number of individuals have been sentenced to life under the Third Strike Law for a non-serious, non-violent offense such as shoplifting or petty theft because they have two prior strikes on their record.

Legislative Analyst's Office Report. The Legislative Analyst's Office indicates that Proposition 36 would have a number of fiscal impacts on the State's correctional system by reducing State prison costs in two ways: 1) fewer inmates would be incarcerated for life sentences under the Three Strikes Law which would reduce the sentences of some future felony offenders; and 2) the resentencing of third strikers could result in many existing inmates receiving shorter prison terms and a reduction in the inmate population beginning in the near term.

Proposition 36 would also result in reduced State Parole costs. This would occur because the offenders affected by this measure would generally be supervised by county probation, rather than State Parole, following their release from prison. As their current offense would be non-serious and non-violent, these offenders would be released under Post-Release Community Supervision (PRCS). In addition, the reduction in the third striker population would reduce the number of parole consideration hearings held by the Bureau of Parole Hearings (BPH) in the future.

The Legislative Analyst estimates that State correctional savings from the above changes would likely be around $70.0 million annually, with even higher savings of up to $90.0 million annually over the next couple of decades. However, these annual savings could be tens of millions of dollars higher or lower depending on several factors. In particular, the actual level of savings would depend on the number of third strikers resentenced by the court and the rate at which BPH would have released third strikers in the future under current law.

Local Impact. The Legislative Analyst's Office indicates that Proposition 36 would result in a one-time cost to the court and counties related to the resentencing provisions of this measure. These provisions would increase court caseloads, which would result in added costs for district attorneys, public defenders, and county sheriff's departments that would manage this workload and staff these resentencing proceedings. In addition, counties would incur jail costs to house inmates during resentencing proceedings. These costs could be a few million dollars statewide over a couple of years. There would be other court, probation, and jail related costs for the State and counties for offenders who are released from prison under PRCS and supervised by probation departments instead of State parole, as well as associated court hearings and jail sentences if they violate the terms of their supervision or commit new crimes. The LAO estimates that such long-term costs would not be significant.

Other Fiscal Effects. The Legislative Analyst's Office indicates that Proposition 36 could result in a variety of other State and local government fiscal effects. For instance, governments would incur additional costs to the extent that offenders released from prison because of this measure require government services (such as government-paid health care for persons without private insurance coverage) or commit additional crimes. There also would be some additional State and local government revenue to the extent that offenders released from prison because of this measure entered the workforce. The magnitude of these impacts is unknown.

Affected County Departments. According to the District Attorney's Office, Proposition 36 is a modest reform consistent with public safety and would achieve statewide even-handed and proportional sentencing consistent with determinant sentencing law. Furthermore, Proposition 36 reflects the existing policy of the District Attorney's office that was implemented in 2000. Under this policy, a three-strike punishment is sought for only those who commit a serious or violent felony or whose record justifies imposition of a lengthy prison term. Petty offenders who pose no apparent threat to public safety are appropriately sentenced under the second strike sentencing scheme. Finally, the District Attorney's Office notes that Proposition 36 provides remediation to individuals who were sentenced to the 25-to-life sentence imposed in the early years of the Three Strikes Law by allowing courts to revisit those sentences and potentially resentence those individuals.

According to the Public Defender, Proposition 36 would have little if any impact on the workload involving current and future strike cases due to the District Attorney third strike policy currently in place. However, the proposed Penal Code Section in Proposition 36 would allow for the recall of a third strike sentence, enabling inmates sentenced under the Three Strikes Law to indeterminate sentences prior to passage of Proposition 36 to be re-sentenced as second strikers. The Public Defender would have a legal duty to review and act upon several thousand cases of past clients eligible for re-sentencing. This would pose a substantial and labor intensive burden on the current resources of the Department.

Support and Opposition. Proposition 36 is supported by: Los Angeles County District Attorney Steve Cooley; San Francisco City and County District Attorney George Gascón; Santa Clara County District Attorney Jeffrey Rosen; Los Angeles Police Chief Charlie Beck; former Los Angeles Police Chief Bill Bratton; Los Angeles Mayor Antonio Villaraigosa; Sacramento Mayor Kevin Johnson; San Francisco Mayor Ed Lee; Lt. Governor Gavin Newsom; Congresswoman Karen Bass; Senator Loni Hancock; Senator Mark Leno; Berkeley Mayor Tom Bates; NAACP Legal Defense and Educational Fund, Inc.; Equal Justice Society (EJS); California Council of Churches; Progressive Christians Uniting; Justice Fellowship; Justice Ministries; Los Angeles County Federation of Labor, AFL-CIO; California Nurses Association; California Labor Federation; American Federation of State, County and Municipal Employees, California; Oakland Tribune; Contra Costa Times; San Jose Mercury News; San Francisco Examiner; San Diego Free Press; California Democratic Party; Grover Norquist, among others.

Proposition 36 is opposed by: California State Sheriff's Association; California District Attorneys Association; California Peace Officers Association; California Victims Bill of Rights; Crime Victims Action Alliance; Crime Victims United of California, among others.

PROPOSITION 37: GENETICALLY ENGINEERED FOODS, MANDATORY LABELING. Initiative Statute. COUNTY POSITION: **NONE**

PROPOSITION 37, the California Right to Know Genetically Engineered Food Act of 2012, would: 1) require agricultural food products produced entirely or in part through genetic engineering to be labeled with the words "genetically engineered;" and 2) require processed foods produced in whole or in part through genetic engineering to be labeled with the words, "Partially Produced with Genetic Engineering" or "May be Partially Produced with Genetic Engineering." Certain foods would be exempt from the labeling requirement including: alcoholic beverages, organic foods, and food prepared for immediate consumption. Producers and sellers of food products would be exempt from the labeling requirements if they obtain a sworn statement indicating that the product does not intentionally or knowingly contain genetically engineered ingredients or receive independent certification that their product does not contain genetically engineered ingredients.

Background. Genetic engineering is the technique of removing, modifying or adding to the genetic material of a living organism to produce some desired change in that organism's characteristics. Genetic engineering is used in the development of new plant and animal varieties used as sources of food.

The U.S. Department of Agriculture (USDA) regulates genetically engineered crops that may become pests by setting limits on their importation, interstate movement, and release into the environment. The USDA can also remove these restrictions for a crop that is shown to pose no additional risk of becoming a plant pest than a non-genetically engineered variety of that crop.

The California Department of Public Health (CDPH) regulates the safety and labeling of foods with the exception of meat, dairy and poultry products. The California Department of Food and Agriculture is responsible for ensuring the safety of meat, dairy and poultry; inspecting fruits, vegetables, and nuts for accuracy in content and labeling; and conducting scientific analyses in support of food and environmental safety.

Legislative Analyst's Office Report. The Legislative Analyst's Office estimates that this measure could result in additional State costs of up to $1.0 million annually for the CDPH to regulate the labeling of genetically engineered foods. The LAO also notes that the measure would allow private individuals to sue for violations of the labeling provisions which would result in unknown but potentially significant costs for the courts.

Affected County Departments. The Department of Public Health (DPH) indicates that CDPH is responsible for regulating food manufacturers and DPH is tasked with enforcing regulations regarding the retail sale of food in Los Angeles County.

The Department of Public Health notes that Proposition 37 requires producers of agricultural products and foods to label genetically engineered food and limits the use of the term "natural" in labeling. Genetically modified organisms have become more commonplace in agriculture, and evidence of significant health harms has been rare. Nonetheless, because there is always residual uncertainty and because new modifications may have unforeseen harms, DPH indicates the potential for harms is potentially large. According to DPH, genetically modified organisms may also have indirect effects. For example, crops genetically modified to be resistant to pesticides allow much higher applications of herbicides which have potential health effects and which can lead to herbicide-resistant weeds.

The Department of Public Health indicates that in public health, it is common to use the precautionary principle to minimize harms. In this case, labeling is a commonly used method for assuring that consumers are adequately informed about the products they are purchasing. DPH further indicates that improperly labeled products are subject to the Health and Safety Code. Under the Code, local public health agencies are required to enforce misbranding. Enforcement of Proposition 37 would be extremely onerous, since inspectors would need to determine if unlabeled foods were genetically engineered or not. DPH notes that this would require examination of available documentation at the retail facility to determine if the food product is exempt, and might include contacting the manufacturer or even requiring genetic examination of individual products. DPH indicates that local health agencies are not in a position to effectively enforce this proposition as written.

Support and Opposition. Proposition 37 is supported by: Consumer Federation of America; Consumer Watchdog; California Biosafety Alliance; Californians for Pesticide Reform; Center for Food Safety; California Citizens for Health Freedom; California Labor Federation; United Farmer Workers of America; California Certified Organic Farmers; California State Grange; Organic Seed Growers and Trade Association; American Public Health Association; National Health Federation; Physicians for Social Responsibility - Los Angeles and San Francisco; Porter Ranch Medical Center; California League of Conservation Voters; Greenpeace USA; Sierra Club; California National Organization for Women; U.S. Senator Barbara Boxer; and Congressman Howard Berman, among others.

Proposition 37 is opposed by: the California Farm Bureau Federation; Western Growers Association; California Grain and Feed Association; California Poultry Federation; Southern California Agricultural Land Foundation; California Independent Grocers Association; California Grocers Association; California Taxpayer Protection Committee; California Chamber of Commerce; Southern California Black Chamber of Commerce; Antelope Black Chamber of Commerce; Chinese Chamber of Commerce of Los Angeles; California Retailers Association; Grocery Manufacturers Association; American Beverage Association; California League of Food Processors; and Snack Food Association, among others.

PROPOSITION 38: TAX TO FUND EDUCATION AND EARLY CHILDHOOD PROGRAMS. Initiative Statute. COUNTY POSITION: **NONE**

PROPOSITION 38, the Our Children, Our Future: Local Schools and Early Education and Bond Debt Reduction Act, would raise personal income taxes on most California taxpayers effective over a 12-year period starting 2013 through 2024. Specifically, Proposition 38 would raise the personal income tax rate between 0.4 and 1.8 percent on annual incomes of $7,316 to $250,000. For incomes over $250,000, Proposition 38 would increase the marginal tax rate by between 1.9 and 2.2 percent.

The revenues raised by this tax increase would be spent on public schools, child care and preschool programs, and State debt payments. Specifically, the measure would require the revenues raised by the measure to be deposited into a newly created California Education Trust Fund and these funds would be allocated in FY 2013-14 and FY 2014-15 as follows: 1) 60 percent of the funds to schools, which is in addition to Proposition 98 State General Fund support for schools; 2) 10 percent of funds to Early Care and Education (ECE) programs; and 3) 30 percent of funds to make State debt payments.

In FY 2015-16 and FY 2016-17, the same general allocations are authorized, but a higher share could be used for State debt payments. Beginning in FY 2015-16, the measure would limit the growth in total allocations to schools and ECE programs based on the average growth in California per capita personal income over the previous five years, and would dedicate the funds collected above the growth rate to State debt payments. From FY 2017-18 through FY 2023-24, up to 85 percent of the funds would go to schools and up to 15 percent would go to ECE programs, with revenues in excess of the growth rate continuing to be used for State debt payments.

Legislative Analyst's Office Report. The Legislative Analyst's Office indicates that, under Proposition 38, beginning in FY 2013-14 the annual amount of additional State revenues raised would be around $10.0 billion. In FY 2012-13, the measure would result in additional State revenues of about half this amount. The total revenues generated would tend to grow over time. Revenues generated in any particular year, however, could be much higher or lower than the prior year. This is mainly because the measure increases tax rates more for upper-income taxpayers for which salaries are more volatile.

According to the Legislative Analyst's Office, the measure would increase marginal tax rates with each higher tax bracket. For example, for joint filers, an additional 0.7 percent marginal tax rate would be imposed on income between $34,692 and $54,754, increasing the total rate to 4.7 percent. Similarly, an additional 1.1 percent marginal tax rate would be imposed on income between $54,754 and $76,008, increasing the total rate to 7.1 percent. These tax rates would result in higher tax liabilities on roughly 60 percent of State personal income tax returns.

Fiscal Effect on Schools. Under Proposition 38, in the initial years, schools would receive roughly $6.0 billion annually, or $1,000 per student, from the measure. Of that amount, $4.2 billion would be provided for education program grants, $1.1 billion for low-income student grants, and $700.0 million for training, technology, and teaching materials grants. The FY 2013-14 amounts would be higher because the funds raised in FY 2012-13 also would be available for distribution. The amounts available in future years would tend to grow over time. Beginning in FY 2017-18, the amount spent on schools would increase further as the amount required to be used for State debt payments decreases significantly.

Fiscal Effect on Early Care and Education. The measure would provide, in the initial years, roughly $1.0 billion annually for the State's Early Care and Education system. The FY 2013-14 amount would be higher because the funds raised in FY 2012-13 also would be available for distribution. The majority of funding would be dedicated to expanding child care and preschool -- serving roughly an additional 10,000 infants/toddlers and 90,000 preschoolers in the initial years of implementation. Beginning in FY 2017-18, the amount spent on these programs would increase further as the amount required to be used for State debt payments decreases significantly.

Fiscal Effect on State Debt Payments. Until the end of FY 2016-17, at least 30 percent of the revenue raised by the measure, roughly $3.0 billion annually, would be used to pay general obligation debt-service costs and provide State General Fund savings. This would free up State General Fund revenues for other public programs and make it easier to balance the budget in these years. Furthermore, the LAO indicates that the measure's growth limit provisions also would provide State General Fund savings in certain years. The amount of any savings would vary from year to year depending on the growth of personal income tax revenue and per capita personal income but could be several hundred million dollars annually.

Affected County Departments. The Chief Executive Office, Office of Child Care indicates that the funding from Proposition 38 would improve accessibility for thousands of children and families residing in Los Angeles County and would mean an increase in employment at all levels within the field of early care and education. In general, Los Angeles County accounts for approximately one-third of State funding for subsidized early care and education services. Overall, the funding under Proposition 38 would not have a significant impact on the County's budget. However, the Office of Child Care estimates that the Los Angeles County's early care and education system would receive approximately $592.26 million and about 71,500 children would be served by 2017, if Proposition 38 were to pass.

According to the CEO Office of Child Care, the $300.0 million in funding under Proposition 38 to restore budget reductions from FY 2009-10 through FY 2012-13 to existing early care and education programs would help mitigate some of the recent reductions impacting children and families in Los Angeles County. The amount of funds allocated to programs in Los Angeles County could recoup the losses from the first round of cuts resulting from the FY 2011-12 State Budget; however, the funds will likely be insufficient to redress the cuts made in the FY 2012-13 State Budget.

Furthermore, the CEO Office of Child Care indicates that Proposition 38 would also have considerable impacts on the system of services in terms of oversight in relationship to health and safety, and standards of quality. Under the measure, funding would be directed to increase the frequency of licensing inspections from its current level of one visit every five years, except for programs on probation or in response to non-compliance findings. This also would mean an increase in staffing at the two Community Care Licensing Regional Offices serving Los Angeles County.

The Los Angeles County Office of Education (LACOE) indicates that, if Proposition 38 and Proposition 30 were to fail, a $457.00 per student Average Daily Attendance mid-year reduction in State funding for FY 2012-13 would be implemented. There are 80 K-12 school districts in Los Angeles County. For FY 2012-13, LACOE certified the following annual budgets: 51 approvals; 28 conditional approvals; and one disapproval. Of the 28 conditional approvals, LACOE indicates that 5 to 10 school districts would experience dire financial consequences, including negative cash flows and negative ending balances, if the measure were to fail and Proposition 30 failed as well.

Support and Opposition. Proposition 38 is supported by: Molly Munger, civil rights attorney; California State PTA; Education Trust-West, among others.

The measure is opposed by: the proponents of Proposition 30; the California Chamber of Commerce; California Taxpayer Protection Committee; California Sheriffs' Association, among others.

PROPOSITION 39: TAX TREATMENT FOR MULTI-STATE BUSINESS. CLEAN ENERGY AND ENERGY EFFICIENCY FUNDING. Initiative Statute. COUNTY POSITION: **NONE**

PROPOSITION 39, the California Clean Energy Jobs Act, would: 1) require multi-state businesses to calculate their California income tax liability based on the percentage of their sales in California; 2) repeal existing law giving multi-state businesses an option to choose a tax liability formula that provides favorable tax treatment for businesses with property and payroll outside California; and 3) dedicate up to $550.0 million annually for five years from anticipated increase in revenue for the purpose of funding projects that create energy efficiency and clean energy jobs in California.

Background. For tax purposes, firms in the United States report their profits at the national level and not on a state level. Thus, states have devised a process known as apportionment to determine what fraction of a multi-state firm's profits they can tax. A multi-state business is a business that operates both in California and in other states or countries. The amount of money a business owes the state in corporate income taxes is based on the business' taxable income.

California only taxes the part of a multi-state business' income that is associated with the State. Current law allows multi-state businesses to pick one of two methods to determine the amount of income associated with California and taxable by the State:

- Three-factor Method – this method uses the location of the company's sales, property, and payroll. This apportionment formula (also known as the "double-weighted three-factor method") weighs the sales factor at 0.5 while the payroll and property factors are weighed at 0.25 each. When using this method, the more sales, property or payroll the multi-state business has in California, the more of the business' income is subject to State tax.

- Single Sales Factor Method – this method uses only the location of the company's sales. When using this method, the more sales the multi-state business has in California, the more of the business' income is taxed. For example, if one-fourth of a company's product was sold in California and the remainder in other states, one-fourth of the company's total profits would be subject to California taxation.

Banks, agricultural and resource extraction firms (such as oil and gas) do not have the option to choose between these methods; they are required to use a three-factor formula that weighs property, payroll and sales equally.

A firm that operates in states that use different formulas may find that the sum of its taxable profits for those states in which it operates is higher or lower than its overall national profits. In response to differing state formulas, firms have an incentive to use tax planning to minimize their overall state tax bill.

Legislative Analyst's Office Report. The Legislative Analyst's Office reports that Proposition 39 would eliminate the current optional single sales factor effective January 2013 and replace it with a mandatory single sales factor for multi-state firms. This change, however, would not apply to agricultural, extraction (e.g., oil and gas), and financial firms, which would remain on the equally weighted three-factor formula described above.

This measure would also eliminate the provisions in current law that allow firms that choose to use the three-factor apportionment formula to attribute all sales of intangible goods (e.g., trademarks and digital files) to the State with the largest share of these sales. Instead, these firms would be required to attribute their actual intangible sales to California for tax purposes, as firms that use the single sales factor currently do.

Proposition 39 would establish a new fund, the Clean Energy Job Creation Fund, to support projects intended to improve energy efficiency and expand the use of alternative energy. The Fund could be used to support: 1) energy efficiency retrofits and clean energy installations in schools, universities and colleges, and other public facilities; 2) local governments in establishing and financing energy retrofit financial assistance programs; and 3) existing job training and workforce development programs. The measure also specifies that all funded projects must be coordinated with the California Energy Commission (CEC) and the California Public Utilities Commission (CPUC), and that up to 4 percent of the fund could be used for administrative costs.

The measure would transfer up to $550.0 million each year from FY 2013-14 through FY 2017-18 from the State General Fund to the Clean Energy Job Creation Fund. The actual amount of the annual transfer would be dependent on the estimated increase in revenues resulting from the mandatory single sales factor, as determined by the Department of Finance and the LAO. If for any given year the estimated increase in revenues is less than $1.1 billion, then the amount transferred from the State General Fund to the Clean Energy Job Creation Fund is one-half of the estimated increase in revenues for that year. Otherwise, the transfer shall be $550.0 million.

The measure charges the CEC and the CPUC with coordinating all programs in order to avoid duplication and maximize leverage of existing energy efficient and clean energy programs. The CEC and CPUC would also select and oversee the specific projects funded by the Clean Energy Job Creation Fund. In addition, the measure creates a nine member Citizens Oversight Board which will review all expenditures from the fund and submit an annual evaluation of the program to the Legislature. Appointments to the Oversight Board will be made by the State Treasurer, the State Controller, and the Attorney General (each appointing three members).

The Franchise Tax Board estimates that the provisions of Proposition 39 would increase revenues to the State General Fund by approximately $500.0 million in FY 2012-13 and by approximately $1.0 billion annually each year thereafter. About half of the additional revenue from FY 2013-14 through FY 2017-18 would support energy efficiency and alternative energy projects.

The revenue raised by Proposition 39 would be considered in calculating the State's annual Proposition 98 minimum guarantee. The funds transferred to the Clean Energy Job Creation Fund, however, would not be used in this calculation. Proposition 98 provides K-14 schools with a guaranteed funding source including revenues collected from State corporate taxes that grows each year with the economy and the number of students. The guaranteed funding is provided through a combination of State General Fund and local property tax revenue. The higher revenues generated by Proposition 39 would likely increase the Proposition 98 minimum guarantee by at least $200.0 million for the FY 2012-13 through FY 2017-18 period. For FY 2018-19 and beyond, the guarantee would likely be higher by at least $500.0 million. The exact portion of revenue raised that would go to schools in any particular year would depend on various factors, including the overall growth in State revenues and the size of outstanding school funding obligations.

Affected County Departments. The Internal Services Department (ISD) reports that a number of County programs appear to be eligible for financial support from the Clean Energy Job Creation Fund that would be established by Proposition 39. Those programs include:

- Energy Upgrade California, Los Angeles County (EUCLA). A residential, whole-house energy efficiency upgrade program that is being implemented throughout the State using Investor-Owned Utility ratepayer funding and local government American Recovery and Reinvestment Act of 2009 (ARRA) funding.

- Private Financing Programs. Using ARRA dollars, ISD has developed private financing programs for building energy efficiency upgrades for residential, non-residential and municipal buildings.

- Municipal Building Energy Upgrade Programs. Using ARRA dollars, ISD has developed a program that provides technical support for local governments to enhance their abilities to implement more municipal building energy projects.

The amount of funding that these County programs would be eligible for through the Clean Energy Jobs Creation Fund is unknown at this time. Potential funding allocations would be dependent on a number of factors, including: 1) the actual amount of the annual transfer to the Clean Energy Job Creation Fund each year; 2) the amount of funds that would be available for each type of eligible projects; 3) the number of other applicants; and 4) other funding guideline criteria that may be established by the CEC and CPUC.

Support and Opposition. Proposition 39 is supported by Californians For Clean Energy and Jobs. No contributions to committees opposing the measure have been reported at this time.

PROPOSITION 40: REDISTRICTING. STATE SENATE DISTRICTS. Veto Referendum. COUNTY POSITION: **NONE**

PROPOSITION 40 would allow voters to approve or reject the California State Senate Redistricting Plan recently approved by the California Citizens Redistricting Commission. This measure seeks to repeal an existing law, in this case, to nullify the State Senate boundaries revised in August 2011.

Background. State Senate districts are revised every ten years following the Federal census. Before 2008, the Legislature was responsible for adjusting these district boundaries. That changed in November 2008, when California voters approved Proposition 11, the Voters First Act, which created the Citizen's Redistricting Commission (Commission). The Commission, which is established once every ten years with 14 members comprised of various politically affiliated registered voters, is tasked with drawing new district boundaries for the State Assembly, State Senate, and Board of Equalization starting after the 2010 Federal census. Proposition 20, the Voters First Act for Congress, approved by voters in November 2010, further charged the Commission with also drawing Congressional district boundaries.

In 2011, the Commission drafted plans for California's Congressional, Board of Equalization (BOE), and State legislative districts, including revised boundaries for the 40 State Senate districts. The plans were officially approved on August 15, 2011, and became effective with the June 2012 primary elections.

On September 15, 2011, the California Republican Party filed a lawsuit seeking to repeal the new State Senate district boundaries. On October 26, 2011, the California Supreme Court unanimously rejected the lawsuit, along with another Republican-backed suit seeking to repeal the new Congressional district boundaries. The group behind Proposition 40 filed a motion on December 2, 2011, requesting the court immediately put a hold on using the newly drawn State Senate district boundaries. In January 2012, the California Supreme Court ruled that the boundaries, as drawn by the Commission, must be used throughout the elections of 2012, even if the referendum to seek voter approval of the Senate district boundaries qualified for placement on the ballot.

On July 12, 2012, the supporters of Proposition 40 announced that due to the Court's ruling, they would not campaign for the measure; however, the proposition will remain on the ballot.

Legislative Analyst's Office Report. The Legislative Analyst's Office (LAO) reiterates that a "Yes" vote on this measure means that voters approve the State Senate district boundaries certified by the Citizens Redistricting Commission and that the district boundaries would remain in effect until the Commission establishes new boundaries based on the 2020 Federal census.

The Legislative Analyst's Office indicates that a "No" vote on this measure means that voters reject the State Senate district boundaries certified by the Commission and that the California Supreme Court would appoint special masters to determine new State Senate district boundaries in accordance with the redistricting criteria specified in the Constitution.. (The State Assembly, Congressional, and BOE maps would not be affected.) Once certified by the State, the new boundaries would be used in future elections until the commission establishes new boundaries based on the 2020 Federal census.

Fiscal Effect. The Legislative Analyst's Office estimates that if the 2011 Senate district maps are upheld, there would be no fiscal effect on State or local governments. However, if voters reject the Senate district maps certified by the Commission, the California Supreme Court would appoint special masters to draw new Senate district boundaries, incurring a one-time costs of about $500,000 to the State. In addition, counties would incur one-time costs approximating $500,000 statewide to develop new precinct maps and related election materials for their districts.

Affected County Departments. The Registrar-Recorder/County Clerk (RR/CC) indicates that if the majority of voters vote "No" on Proposition 40, it would have a noticeable, but only periodic, impact on their operations, requiring the Department to adjust district boundaries once the special masters draw new district maps. This would require the RR/CC Geographic Information Systems staff to make the necessary boundary revisions in the countywide precinct system. The project would involve five staff for the duration of three weeks to implement new district boundaries, resulting in additional one-time staffing costs of $47,600.

Support and Opposition. The California Republican Party, who originally favored a "No" vote on this measure to reject the newly drawn State Senate district boundaries, has withdrawn their opposition and now have come out in favor of Proposition 40. The measure is also supported by: the California Democratic Party; California Chamber of Commerce; California Forward; National Federation of Business; League of Women Voters; California Common Cause; Los Angeles Area Chamber of Commerce; Small Business Action Committee; American Association for Retired Persons, NAACP California; Charles Munger, Jr., and the editorials boards for Contra Costs Times, Oakland Tribune, San Jose Mercury News, San Francisco Chronicle, and Modesto Bee.

The sponsors of Proposition 40, who intended to overturn the Commission's State Senate district boundaries for 2012 have suspended their campaign and no longer seek a "No" vote on this measure.

Attachment II

COUNTY AND LOCAL JURISDICTIONS MEASURES APPEARING ON THE NOVEMBER 6, 2012 GENERAL ELECTION BALLOT

LOS ANGELES COUNTY MEASURES (3)

Measure A – Special Advisory Election – Advisory Vote Only. Do you support seeking to change the California Constitution and the Los Angeles County Charter to make the position of Los Angeles County Assessor an appointed position instead of an elected position?

Measure B – Safer Sex in the Adult Film Industry Act. Shall an ordinance be adopted requiring producers of adult films to obtain a County public health permit, to require adult film performers to use condoms while engaged in sex acts, to provide proof of blood borne pathogen training course, to post permit and notices to performers, and making violations of the ordinance subject to civil fines and criminal charges?

Measure J - Los Angeles County Metropolitan Transportation Authority (Metro) - Accelerating Traffic Relief, Job Creation. To advance Los Angeles County's traffic relief, economic/job growth by accelerating light rail/subway construction and airport connections, within five years, not twenty; funding countywide freeway, bridge, safety and traffic flow improvements; fixing potholes; keeping senior, student, disabled fares low; shall Los Angeles County's voter-approved one-half cent traffic relief sales tax continue without increase for another 30 years or until voters decide to end it, with independent audits and keeping funds local?

LOCAL JURISDICTIONNS MEASURES (39)

ARTESIA CITY

Measure M. To provide the City of Artesia with additional revenue to maintain services such as neighborhood police patrols/911 response, gang prevention, pothole/street repairs with funds that require independent audits and that cannot be taken by the State, shall the Artesia Local Services Ordinance be adopted to update/increase its existing business license tax rate schedules based on type/size of business, with no rate increase for small businesses with gross annual receipts of less than $150,000?

BELLFLOWER CITY

Measure P. Shall an ordinance to offset State financial cuts and help the City of Bellflower maintain and restore City services including: neighborhood Sheriff's patrols; local Sheriff's substation hours; drug, bullying and gang prevention/enforcement; graffiti removal; school safety/after-school programs; pothole repairs; and other services, by temporarily increasing Bellflower's utility users' tax by 2% for 5 years; with audits, low-income senior exemptions, citizens' oversight and all funds used for local purposes, be adopted?

BELLFLOWER UNIFIED SCHOOL DISTRICT

Measure BB. To expand vocational education facilities, upgrade classroom computer technology; repair, equip, and construct classrooms/facilities at Baxter, Foster, Intensive Learning Center, Jefferson, Las Flores, Lindstrom, Pyle, Ramona, Washington, Williams, and Woodruff Elementary and Bellflower, Mayfair, and Somerset High Schools, shall Bellflower Unified School District issue $79,000,000 of bonds with interest rates below legal limits, with independent citizen oversight, no money for administrator salaries, and all funds spent locally and not taken by the State and spent elsewhere?

CASTAIC UNION SCHOOL DISTRICT

Measure QS - Castaic School Improvement Measure. To provide modern and efficient elementary and middle school facilities, shall Castaic Union School District build up-to-date science labs/classrooms/facilities, provide modern computers/technology/equipment, replace inefficient and outdated heating/ventilation systems and update fire alarm/safety systems by issuing $51 million in bonds at legal rates, with independent oversight, no money for administrators, and all funds staying local?

CERRITOS COMMUNITY COLLEGE DISTRICT

Measure G – Cerritos College Job Training and College Transfer Measure. To prepare local Cerritos College students for high-skilled jobs and four-year universities by updating classrooms, technology, math, science and computer labs, upgrading job-training facilities, providing classrooms and labs to accommodate growing demand, replacing leaky roofs, aging and unsafe buildings, facilities/equipment, and acquiring, constructing, repairing buildings, classrooms, sites/facilities/equipment, shall Cerritos Community College District issue $350,000,000 in bonds, at legal rates, with citizen oversight, and no money for Sacramento, administrators' salaries or employee pensions?

COMMERCE CITY

Measure AA. Shall the ordinance imposing a one-half of one percent (½%) transactions and use (sales) tax to offset severe State budget cuts and provide funding for such things as police and fire service, repair, maintenance and improvement of streets, sidewalks, public facilities, parks, libraries and other city services, with all revenues staying in the city and spending reviewed by a citizens' advisory panel and independently audited, be approved?

COVINA-VALLEY UNIFIED SCHOOL DISTRICT

Measure CC. To better prepare students for college and good-paying careers by upgrading classrooms, science labs, and instructional technology needed for improved teaching, repair/replace leaky roofs, worn-out floors, plumbing and faulty electrical systems, acquire/construct/renovate sites/facilities/equipment to meet modern academic standards; improve energy efficiency saving money and supporting instruction, shall Covina-Valley Unified School District issue $129,000,000 in bonds at legal rates, with independent citizen oversight, no money for administrators, and all money staying local?

CULVER CITY

Measure Y. To offset State budget cuts, preserve quality neighborhoods and ensure effective 911 emergency response by retaining firefighters, police officers, and paramedics; fixing potholes/streets; maintaining parks, community centers, storm drains; continuing after school programs, senior services, graffiti removal, arts/cultural programs, and other general services, shall Culver City enact a half-cent sales tax, automatically expiring after ten years, requiring independent financial audits, all funds used locally, and no money for Sacramento?

DOWNEY CITY

Measure D. Shall an ordinance be adopted to reduce the tax on telecommunication services from 5% to 4.8%; modernize the ordinance to treat taxpayers equally regardless of technology used; and to preserve funding of general City services, such as police, fire protection, street maintenance; and for parks and recreation, library and senior citizen programs; subject to an annual independent audit?

EL CAMINO COMMUNITY COLLEGE DISTRICT

Measure E – El Camino Community College Improvement/Transfer/Job Training Measure. To prepare students for universities/transfer/jobs, including nursing, healthcare, fire-fighting and high-tech jobs, by expanding science labs, upgrading outdated electrical systems, wiring green energy for savings, building earthquake/fire-safe classrooms equipped with up-to-date technology, improving facilities for Veterans, acquiring, constructing, repairing facilities, sites/equipment, shall El Camino Community College District issue $350,000,000 in bonds at legal rates, requiring all funds remain local, financial audits, citizen's oversight, and no money for pensions/administrators' salaries?

EL MONTE CITY

Measure H - The El Monte Vital City Services/Childhood Obesity Prevention Measure. To offset State cuts and maintain police, fire, 9-1-1 emergency services, gang prevention, graffiti removal, youth after school/nutritional/fitness/health programs, senior services; pothole repair; and other general fund services shall an ordinance be adopted implementing a business license fee of one (1) cent per fluid ounce of sugar sweetened beverage served/ provided/traded by businesses in the City requiring annual audits and all funds used locally?

Measure C – Advisory Vote Only. If the Sugary Sweetened Beverage License Fee ballot measure passes on November 6, 2012, the new tax revenues should be used primarily to pay for the following public services: police and fire emergency services; parks and recreation programs including new sports fields; health and wellness programs for children and senior citizens; and other projects to prevent and treat diabetes and childhood obesity.

Measure F - El Monte Fairness For Mobilehome Owners Ordinance. Shall the ordinance adopted by the voters in April 1990 be repealed in order to allow the City Council to investigate the reasonableness of rent charged to mobilehome owners and if appropriate, consider the regulation of proposed mobilehome park rent increases in the future?

INGLEWOOD UNIFIED SCHOOL DISTRICT

Measure GG. To improve the quality of education; make health/safety improvements; replace old roofs; modernize/upgrade classrooms, restrooms and school facilities; improve student access to computers and technology; improve energy efficiency; upgrade inadequate electrical and plumbing systems; construct new classrooms; and qualify the District for over $20,000,000 in state grants, shall Inglewood Unified School District issue $90,000,000 of bonds at legal interest rates, have an independent oversight committee and no money taken by the State or for administrative salaries?

LA MIRADA CITY

Measure I. To preserve our quality of life and maintain local, city services, including: neighborhood police patrols/911 response times; crime/gang prevention programs; repair potholes/keep streets from falling into disrepair; senior services/facilities; after-school programs for children/teens; and other general city services, shall the City of La Mirada enact a one cent sales tax, for 5 years, that cannot be taken by Sacramento, with citizens' oversight, annual independent audits, will all funds spent only in La Mirada?

LANCASTER SCHOOL DISTRICT

Measure L. To better prepare students for success in high school, college and careers, repair, upgrade outdated classrooms and school buildings, upgrade classrooms, science labs and computer systems to keep pace with technology, improve student safety and security systems, and make funding available to protect and improve the quality of core academic instruction, shall the Lancaster School District issue

$63,000,000 in bonds at legal interest rates, with independent oversight, no money for administrator salaries, and all money staying local?

LITTLE LAKE CITY SCHOOL DISTRICT

Measure EE. To improve the quality of local schools by renovating old and outdated classrooms, restrooms, upgrading science labs and computer systems to keep pace with technology, improving student safety and security systems, repairing, constructing, acquiring classrooms, school facilities and equipment, and to remove hazardous materials and improve student safety and security systems shall Little Lake City School District issue $18,000,000 in bonds at legal rates, with mandatory audits, independent citizen oversight and all money staying local?

Measure TT. To provide up-to-date textbooks and instructional materials in English, math, science and history, to continue funding for art and music programs, to improve classroom technology, to keep schools facilities clean, safe and well-maintained and to provide locally controlled funding that the State can't take away, shall Little Lake City School District authorize a levy of $48 per parcel annually for five years with independent oversight, no funds for administrators' salaries and an exemption for senior citizens?

LOCAL CLASSROOMS FUNDING AUTHORTY

Measure CL. To protect academic quality in local K-12 schools; maintain math, science, English programs; provide education for students with disabilities/special needs; support computer technology and school security; prepare students for college/careers; retain excellent teachers; shall Local Classrooms Funding Authority levy a special tax of 2¢/square foot of lot for residential property, and 7.5¢/square foot for other property types; requiring citizens oversight, audits, senior exemptions, no money for administrator salaries and all funds staying local?

LONG BEACH CITY

Measure N. Shall the ordinance which establishes minimum wages and minimum sick leave payable to hotel workers, be adopted?

Measure O. Shall Measure O, which amends the Long Beach City Charter to change the dates of the Primary and General Municipal Elections be adopted?

LYNWOOD UNIFIED SCHOOOL DISTRICT

Measure K. To improve and maintain neighborhood schools by repairing and updating classrooms, science labs and technology, repairing leaky roofs, bathrooms, plumbing, and electrical, improving school safety with lighting, fences, fire alarms, and earthquake retrofits, removing asbestos, replacing portables with permanent classrooms, renovating, constructing, and equipping, modernizing school facilities, shall Lynwood

Unified School District issue $93,000,000 in bonds at legal rates, requiring strict accountability, Independent Citizens' Oversight Committee review, independent annual audits, with no funds for administrator salaries or pensions?

MOUNTAINS RECREATION AND CONSERVATION AUTHORITY

Measure HH. To protect, maintain and conserve local open space, parklands and wildlife corridors; protect water quality in local creeks and reservoirs; improve fire prevention including brush clearing; acquire open space, and increase park ranger safety security patrols, shall the Mountains Recreation and Conservation Authority implement a special $24 tax annually for ten years only, with all funds spent locally in the Santa Monica Mountains east of the 405 freeway, and require independent citizen oversight and audits?

Measure MM. To protect, maintain and conserve local open space, parklands and wildlife corridors; protect water quality in local creeks and reservoirs; improve fire prevention including brush clearing, acquire open space, and increase park ranger safety and security patrols, shall the Mountains Recreation and Conservation Authority implement a special $19 tax annually for ten years only, with all funds staying in the hillside communities of Woodland Hills, Encino, and Tarzana, and require independent citizen oversight and audits?

PALMDALE SCHOOL DISTRICT

Measure DD. To repair/improve aging schools, improve math/science instruction and protect education in Palmdale elementary and intermediate schools with local funding that cannot be taken by State government, shall Palmdale School District repair leaking roofs, rusting plumbing and aging restrooms; update science labs, computers and instructional technology; upgrade/repair/add classrooms to meet safety, health and academic standards; by issuing $220 million dollars in bonds at legal rates, with independent citizens' oversight, no money for administrators salaries?

POMONA CITY

Measure T – Pomona Citizen's Right to Vote Initiative Measure. Shall an ordinance be adopted to change the method of electing the six City Council members from the current "by-district" method, where voters from each district vote for the candidate representing each respective district pursuant to the Pomona City Charter, to an "at-large" system where candidates representing each district are elected by voters citywide?

Measure U – Pomona City Charter Measure. Shall the Charter of the City of Pomona be amended as proposed by the Charter Review Commission, regarding setting Council district boundaries, Mayoral election as a stand alone election, "instant runoff" Councilmember elections, Council vacancy procedures, increasing contributions limits to Councilmembers, providing staff and legal counsel for Charter Commission, City budget and Capital Improvement Program appropriations, commitment to the Youth and Family Master Plan, and establishing violations of the Charter as misdemeanors, among other changes?

Measure V – Pomona Transient Occupancy Tax Increase. To ensure funding for essential general city services including police services, fire protection, street and park maintenance, business development, and park and recreation services, shall an ordinance be adopted to increase the tax charged only to persons who occupy hotels, as defined by Pomona City Code Section 50-81, otherwise known as the Transient Occupancy Tax (TOT), from ten percent (10%) to twelve percent (12%)?

Measure W – Pomona Real Property Transfer Tax Increase. To ensure funding for essential general city services including police services, fire protection, street and park maintenance, business development, and park and recreation services, shall an ordinance be adopted to increase the tax charged when real property in the city is sold or transferred, otherwise known as the Real Property Transfer Tax, from $1.10 per $500 of property value at the time of sale $2.20?

Measure X – Save Our Pomona Public Library. To provide revenue dedicated to the City of Pomona Library services, and operation of the Library no fewer than 38 hours per week, shall the City of Pomona ordinance adopting a special parcel tax of $38.00/parcel and/or residential unit, providing for annual adjustments commencing July 1, 2013, be approved by the voters?

REDONDO BEACH UNIFIED SCHOOL DISTRICT

Measure Q. To prepare students for success in high school, college, and the workforce; acquire, construct, upgrade, furnish, and equip school facilities, including career and technical facilities, improve classroom technology, and make energy efficiency improvements to reduce operating costs and put more money in classrooms; shall Redondo Beach Unified School District issue $63,000,000 of bonds at legal interest rates, have an independent citizens' oversight committee with no money taken by the State or used for salaries or other operating expenses?

ROWLAND UNIFIED SCHOOL DISTRICT

Measure R. To continue to upgrade Rowland Unified schools, repair, equip, construct and/or reconstruct classrooms, roofs, multiuse facilities, gyms/athletic facilities, libraries, science & technology labs, and construct permanent classrooms to replace temporary portables, shall Rowland Unified School District issue $158.8 million in bonds at legal interest rates, with no funds for administrative salaries or employee pensions, with mandatory annual audits and independent citizen oversight?

SANTA MONICA CITY

Measure GA. Shall the City Charter be amended to allow the annual rent control general adjustment to be based on 75% of the annual percentage change in the Consumer Price Index, but limited to an adjustment between 0% and 6%; and to give the Rent Control Board discretion, after a public hearing, to impose a dollar limit, within the 0-6% range, calculated using the same formula employed when imposing a limit under the existing general adjustment formula?

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

Measure ES – Local School Modernization, Academic Improvement and Earthquake Fire Safety Bond. To improve academic instruction and school safety by modernizing high school classrooms and campuses, repairing aging elementary schools, ensuring every school meets current earthquake and fire safety standards to protect students, and constructing, acquiring, modernizing, and/or repairing classrooms, sites, facilities, equipment, computers, and learning technology to raise student achievement, shall the Santa Monica-Malibu Unified School District issue $385,000,000 in bonds at legal rates, with independent fiscal oversight, mandatory audits, and all funds for Santa Monica and Malibu schools?

SIERRA MADRE CITY

Measure ALF. Shall an Ordinance be adopted to amend Sierra Madre Municipal Code Section 17.35.040 ("Core Density Limit") of the People's Empowerment Act (aka Measure V) to permit development of an assisted living facility consistent with the Kensington Assisted Living Facility Specific Plan not exceeding two stories, thirty feet in height and seventy-five assisted living suites, for the parcels located at 33 North Hermosa Avenue an 245 West Sierra Madre Boulevard?

TEMPLE CITY UNIFIED SCHOOL DISTRICT

Measure S. To maintain high quality education, prepare local students for college and careers, equip schools with current technology, upgrade security, fire safety, electrical, plumbing, heating/cooling systems, repair old roofs, upgrade science labs, construct, repair, acquire classrooms, vocational education facilities, sites, facilities and equipment, shall Temple City Unified School District issue $128,800,000 in bonds, at legal rates, with citizen oversight, annual audits, no money for pensions or administrators' salaries, and all funds locally controlled and not be taken by Sacramento?

WESTSIDE UNION SCHOOL DISTRICT

Measure WR. To increase student computer /technology access; repair, equip and modernize elementary classrooms/school facilities; replace outdated heating/air conditioning; and reduce overall borrowing costs, shall $18,510,000 of Westside Union

School District bonds, previously approved by voters in November 2008, be reauthorized through issuance of new bonds, with no increase in total authorized District debt, interest rates below legal limits, independent citizen oversight, no money for administrator salaries, and all funds spent locally and not taken by the State?

Measure WP. To maintain academic programs including science, math, reading, writing, arts and music, fund computer technology, and help avoid increased class sizes with funds that cannot be taken by the State and spent elsewhere, shall Westside Union School District levy a $96.00 parcel tax for four years, so long as an independent citizens' oversight committee is required, all funds are spent on neighborhood schools, and no money is used for administrative salaries?

WHITTIER CITY SCHOOL DISTRICT

Measure Z. To improve the quality of education, replace deteriorating roofs; improve access to computers and technology; replace old plumbing systems; make health, safety, and handicapped accessibility improvements; replace outdated heating ventilation and cooling systems; modernize outdated classrooms and school facilities; and improve energy efficiency; shall the Whittier City Elementary School District issue $55,000,000 of bonds at legal interest rates, have an independent citizens' oversight committee and have no money used for administrative or teacher salaries, or taken by the State?